

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

ROOSEVELT GHOLSTON; et al.

PLAINTIFFS

vs.

No. 4:04CV265-D-B

FORD MOTOR CREDIT COMPANY; et al.

DEFENDANTS

ORDER GRANTING PLAINTIFFS' MOTION TO DISMISS, AND GRANTING IN
PART AND DENYING IN PART DEFENDANT'S MOTION TO DISMISS

Pursuant to an opinion issued this day, it is hereby ORDERED that

- (1) the Plaintiffs' motion to dismiss (docket entry 36) is GRANTED;
- (2) the claims of the Plaintiffs Mary Ball, Dorice Buchanan, Robert Bunch, Senobia Bunch, Arthur Colbert, Pamela Colbert, Sarah Colbert, James Cornelius, Patricia A. Deshazer, Blondell Fikes, Miller Fikes, Gwen R. Fountain, and Vernon Griffin are hereby DISMISSED WITHOUT PREJUDICE;
- (3) the Defendant Ford Motor Credit Company's motion to dismiss the Plaintiffs named in Section 2 of this order (docket entry 31) is DENIED AS MOOT;
- (4) the Defendant Ford Motor Credit Company's motion to dismiss (docket entry 19) is GRANTED IN PART and DENIED IN PART;
- (5) the portion of the motion seeking to dismiss the Plaintiffs' state law claims is GRANTED and the Plaintiffs' state law claims are DISMISSED WITH PREJUDICE, except as to Count 8 of the Complaint; the portion of the Defendant's motion seeking to dismiss Count 8 is DENIED and that state law claim shall PROCEED; and
- (6) the motion is DENIED in all other respects.

SO ORDERED, this the 14th day of September 2005.

/s/ Glen H. Davidson
Chief Judge